

## Wetlands Applications Decision Report

Decisions Taken  
01/23/2017 to 01/29/2017

Approved  
MAT  
2/1/17

### DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

### APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or [atappeals@des.nh.gov](mailto:atappeals@des.nh.gov). The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

**MAJOR IMPACT PROJECT**

\*\*\*\*\*

2016-01701

**LINDT & SPRUNGLI (USA)**

**STRATHAM Unnamed Wetland**

**Requested Action:**

Dredge and fill a total of 20,327 square feet of the wetlands to include 16,440 square feet of forested wetland and 3,887 square feet of emergent wetland for the expansion of the existing parking lot, upgrading the drainage structures of the entrance, and widening of the entrance. Compensatory mitigation includes a one-time payment of \$102,828.70 to the Aquatic Resource Mitigation Fund.

\*\*\*\*\*

Inspection Date: 09/21/2016 by EBEN M LEWIS

**APPROVE PERMIT**

Dredge and fill a total of 20,327 square feet of the wetlands to include 16,440 square feet of forested wetland and 3,887 square feet of emergent wetland for the expansion of the existing parking lot, upgrading the drainage structures of the entrance, and widening of the entrance. Compensatory mitigation includes a one-time payment of \$102,828.70 to the Aquatic Resource Mitigation Fund.

**With Conditions:**

1. All work shall be in accordance with plans by Tighe & Bond dated 4/25/16 as received by the NH Department of Environmental Services (DES) on June 13, 2016.
2. This approval is not valid until DES receives a one-time payment of \$102,828.70 to the DES Aquatic Resource Mitigation (ARM) Fund. The applicant shall remit payment to DES. If DES does not receive payment within 120 days of the date of this approval letter, DES will deny the application.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
6. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. Snow shall be stored/stockpiled out of DES jurisdiction.
9. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
10. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
12. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

**With Findings:**

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate
2. The impacts are necessary to increase parking, improve drainage, and adhere to FDA food security rules; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

01/23/2017 to 01/29/2017

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Stratham Conservation Commission (the "SCC") provided comment on the project. In summary the SCC provided the following comments: a. DES consider a Natural Resource Inventory of the site; b. A snow storage plan; and, c. Placing the mitigation funds in the Stratham Land Conservation Fund rather than the Aquatic Resource Mitigation ("ARM") Fund.
7. In response to the SCC comments DES finds: a. see finding 5; b. DES will condition the permit to have snow storage out of DES jurisdiction; and in accordance with Env-Wt 800, the applicant's payment into the ARM Fund satisfies the mitigation requirements as permittee-responsible mitigation opportunities were not achievable in the community or watershed. The funds deposited into the DES watershed account can be applied for through a grant to be submitted in the future by the SCC.
8. DES Staff conducted a field inspection of the proposed project on September 21, 2016. Field inspection determined the resources areas are accurately depicted on the proposed plans.
9. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
10. The payment calculated for the proposed wetland loss equals \$102,828.70.
11. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).
12. The payment into the ARM fund shall be deposited in the DES fund for the Salmon Falls - Piscataqua Rivers watershed per RSA 482-A:29.
13. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resource, as identified under RSA 482-A:1.

2016-03048

**NH DEPT OF TRANSPORTATION**

**FREEDOM BENNETT BROOK**

**Requested Action:**

Repair the top and walls of a 5.5 ft. x 5 ft. concrete box culvert impacting 430 sq. ft. (400 sq. ft. temporary) of riverine wetland. NHDOT project #1832H

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

CONS. COMM. - NO COMMENTS

**APPROVE PERMIT**

Repair the top and walls of a 5.5 ft. x 5 ft. concrete box culvert impacting 430 sq. ft. (400 sq. ft. temporary) of riverine wetland. NHDOT project #1832H

**With Conditions:**

1. All work shall be in accordance with plans by NHDOT Maintenance District 3 dated 7/12/16, as received by the Department on Oct. 21, 2016.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay

01/23/2017 to 01/29/2017

bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

10. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1

11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.

12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

15. Standard precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).

16. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3 stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2016-03053

NH DEPT OF TRANSPORTATION

EATON

Requested Action:

Replace the granite block ceiling with concrete on an 8 ft. wide X 4.5 ft. tall concrete box using scaffolding temporarily impacting 400 sq. ft. of riverine wetlands. NHDOT project #1832H-1

\*\*\*\*\*

Conservation Commission/Staff Comments:

CONS. COMM. - NO COMMENTS

APPROVE PERMIT

Replace the granite block ceiling with concrete on an 8 ft. wide X 4.5 ft. tall concrete box using scaffolding temporarily impacting 400 sq. ft. of riverine wetlands. NHDOT project #1832H-1

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 3 dated 8/23/16, as received by the Department on Oct. 21, 2016.
2. Excavated material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Construction equipment shall not be located within surface waters.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all

01/23/2017 to 01/29/2017

cases with a minimum of 20 feet of undisturbed vegetated buffer.

5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

6. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1

7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.

8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

9. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

104. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

11. Standard precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).

12. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site.

#### With Findings:

1. This is a major impact project per Administrative Rules Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The project was coordinated through the Natural Resource Agency monthly meetings and discussed on Sept. 21, 2016.

6. The project does not require mitigation as this meets rule Env-Wt 302.03(b) where there is no permanent impact to mitigate.

7. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

8. The DES has determined the applicant has met the purpose of the current stream rules relative to not causing damage upstream or downstream and not impeding aquatic organisms.

2016-03068

NH DEPT OF TRANSPORTATION

#### CONCORD HAYWARD BROOK

##### Requested Action:

Repair a 15 ft. 10 in. x 82 ft. bridge by installing concrete toewalls along undermined abutments, repair cracks, rebuild the headwalls and place rip rap level with the streambed to protect the structure from scour impacting 3,156 sq. ft. (2,332 sq. ft. temporary) of riverine wetlands. NHDOT project 41122

\*\*\*\*\*

##### Conservation Commission/Staff Comments:

CONS. COMM - NO COMMENTS

##### APPROVE PERMIT

Repair a 15 ft. 10 in. x 82 ft. bridge by installing concrete toewalls along undermined abutments, repair cracks, rebuild the headwalls and place rip rap level with the streambed to protect the structure from scour impacting 3,156 sq. ft. (2,332 sq. ft. temporary) of riverine wetlands. NHDOT project 41122

01/23/2017 to 01/29/2017

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 8/9/16, as received by the NH Department of Environmental Services (DES) on Oct. 25, 2016.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless specifically authorized.
3. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 ft. of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
16. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a major impact project per Administrative Rules Env-Wt 303.02(p), a replacement of a stream crossing structure in a tier 3.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was coordinated through the Natural Resource Agency monthly meetings and discussed on Sept. 21, 2016.
6. The project does not require mitigation as this meets rule Env-Wt 302.03(c)(2)(c), protection of existing infrastructure.
7. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.
8. The DES has determined the applicant has met the purpose of the current stream rules relative to not causing damage upstream or downstream and not impeding aquatic organisms.

**MINOR IMPACT PROJECT**

\*\*\*\*\*

2015-02734

RAHILLY, CHRISTOPHER/DEBRA

LACONIA LAKE WINNIPESAUKEE

Requested Action:

Amend permit to remove a permanent walkway along the shoreline and extend the dock 11 feet lakeward.

\*\*\*\*\*

APPROVE AMENDMENT

Permanently remove a 5 ft. 10 in. x 22 ft. permanent walkway along the shoreline, lengthen the existing 54 ft. permanent dock 11 ft. to create a 5 ft. 10 in. x 65 ft. 3 in. piling pier with 3 tie off piles and a 14 ft. x 30 ft. seasonal canopy, on an average of 100 ft. of shoreline along Lake Winnepesaukee, in Laconia.

With Conditions:

1. All work shall be in accordance with revised plans by Winnepesaukee Marine Construction dated November 29, 2016, as received by DES on December 02, 2016.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
8. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
9. This permit does not allow dredging for any purpose.
10. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the DES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates.
11. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(m), installation of new tie-off piles which do not add slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 100 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. The applicant provided an signed notarized abutter permission letter for the impacts within the 20 foot abutter setback.

2016-02654

PORTSMOUTH COUNTRY CLUB

GREENLAND Unnamed Wetland

Requested Action:

Impact a total of 22,049 square feet within the previously-disturbed 100-foot tidal buffer zone to include 5,405 square feet of permanent impact to a palustrine emergent wetland and 2,538 square feet of temporary impact to a palustrine open water pond to enlarge the existing man-made pond located on the 15th hole adjacent to Great Bay.

\*\*\*\*\*

#### APPROVE PERMIT

Impact a total of 22,049 square feet within the previously-disturbed 100-foot tidal buffer zone to include 5,405 square feet of permanent impact to a palustrine emergent wetland and 2,538 square feet of temporary impact to a palustrine open water pond to enlarge the existing man-made pond located on the 15th hole adjacent to Great Bay.

#### With Conditions:

1. All work shall be in accordance with plans by Forbes Golf Design, LLC dated September 8, 2016 as received by the NH Department of Environmental Services (DES) on September 19, 2016.
2. This permit is contingent upon the NH Division of Historical Resources (DHR) review and approval of the DHR Bibliography Form and Short Report by Independent Archaeological Consulting, LLC (IAC) dated 1/16/2017.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall schedule a preconstruction meeting in writing with the DES.
4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
5. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 100 feet.
9. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
13. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
15. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
16. A post-construction report prepared by a Certified Wetland Scientist documenting status of the project area and restored jurisdictional area or buffer, including photographs, shall be submitted to the DES Wetlands Program within 60 days of the completion of construction. DES Wetlands Program may require subsequent monitoring and corrective measures if DES deemed the area inadequately stabilized or restored.
17. The permittee or permittee's contractor shall conduct a follow-up inspection in October or November following the first growing season to review the success of the restoration/enhancement/construction area and schedule remedial actions if necessary.

#### With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b) Projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02.
2. The impacts are necessary to expand the existing, man-made pond; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c) Requirements for Application Evaluation, has been considered in the design of the project.
5. The application included NH Natural Heritage Bureau (NHB) file NHB16-2355 identifying the following in the vicinity of the project: One (1) invertebrate species, seaside Dragonlet (*Erythrodiplax berenice*); several natural communities; and, two (2) vertebrate species, purple martin (*Progne subis*) and saltmarsh sparrow (*Ammodramus caudacutus*).
6. In response to the aforementioned species, NH Fish and Game stated, "We do not expect impacts to seaside dragonlet or



01/23/2017 to 01/29/2017

purple martin as a result of the proposed construction...we do have concerns about indirect impacts to saltmarsh sparrow."

7. The applicant has addressed concerns raised by NHB regarding the natural communities identified.

8. The Greenland Conservation Commission ("GCC") submitted a letter to DES dated October 14, 2016 raising the following concerns: a. rip-rap should be minimized; b. relocating the cart path; and, c. installing native plants.

9. In response to the concerns raised by the GCC, DES make the following findings: a. vegetation will be planted around the pond in lieu of rip-rap; b. the cart path has been relocated; and, c. only native plantings will be installed and rip-rap will only be used at the overflow outlet of the pond.

10. NH Division of Historical Resources ("DHR") requested "additional information is needed in order to complete review." Furthermore, DHR commented, "Area considered archaeologically sensitive, survey needed before informed comment can be made."

11. In response to DHR's request, the applicant retained Independent Archaeological Consulting, LLC ("IAC") to complete a combined Phase IA Archaeological Sensitivity Assessment and Phase IB Intensive Archaeological Investigation of the Portsmouth Country Club (PCC) 15th Hole Pond project area in Greenland and, in summary, found no sites.

2016-03245

MARTIN, EARL

#### ALTON LAKE WINNIPESAUKEE

##### Requested Action:

Extend an existing 4 ft. x 50 ft. permanent dock supported by a 4 ft. x 5 ft. crib and a 4 ft. x 3 ft. crib, 5 feet to create a 4 ft. x 55 ft. permanent dock supported by a 3.5 ft. x 5 ft. crib and a 3.5 ft. x 8 ft. crib, on Lake Winnepesaukee, Alton.

\*\*\*\*\*

##### Conservation Commission/Staff Comments:

11-30-16- No historic properties affected per DHR.

##### DENY PERMIT

Extend an existing 4 ft. x 50 ft. permanent dock supported by a 4 ft. x 5 ft. crib and a 4 ft. x 3 ft. crib, 5 feet to create a 4 ft. x 55 ft. permanent dock supported by a 3.5 ft. x 5 ft. crib and a 3.5 ft. x 8 ft. crib, on Lake Winnepesaukee, Alton.

##### With Findings:

1. This is a Minor Impact Project per Rule Env-Wt 303.03, Minor Projects, (d), modification of a docking structure that exceeds the criteria for minimum impact docking structures.
2. Pursuant to RSA 482-A:1, Finding of Public Purpose, proposals should not adversely affect the value of such areas as sources of nutrients for finfish, crustacea, shellfish and wildlife of significant value, damage or destroy habitats and reproduction areas for plants, fish and wildlife of importance, eliminate, depreciate or obstruct the commerce, recreation and aesthetic enjoyment of the public, or otherwise adversely affect the interests of the general public.
3. In accordance with Env-Wt 302.04 Requirements for Application Evaluation, (a)(2), the applicant shall submit the least impacting alternative to wetlands or surface waters on site.
4. In accordance with RSA 482-A:11, II, Decisions of the department or council under this chapter shall be consistent with the purposes of this chapter as set forth in RSA 482-A:1.
5. In accordance with Rule Env-Wt 302.04 Requirements for Application Evaluation, (d), the department shall not grant a permit if the applicant fails to document that the proposed alternative is the one with the least adverse impact to areas and environments under the department's jurisdiction, or if the applicant proposes unnecessary destruction of wetlands.
6. In accordance with RSA 482-A:3,XIII, no boat attached to a docking structure shall extend over the imaginary extension of the property line.
7. In accordance with RSA 482-A:11, II, Administrative Provisions, no permit shall be granted if it shall infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners.
8. In accordance with Env-Wt 402.21, Modification of Existing Structures. The department shall not approve any change in size, location, or configuration of an existing structure unless the applicant demonstrates, and the department finds, that the modification is less environmentally-impacting or provides for fewer boat slips and less construction surface area over public submerged lands than the current configuration.
9. In accordance with Env-Wt 402.06 Permanent Docks, (i), the maximum size of cribs for water depths of up to 6 feet shall not exceed 6 feet long by 6 feet wide and of such height as is necessary to support the wharf above the water level.
10. In accordance with Env-Wt 402.12 Frontage Less Than 75', to lessen congestion, improve public safety, protect neighboring property values, and provide sufficient area for construction of facilities, docks or piers permitted on property with

01/23/2017 to 01/29/2017

less than 75' of shoreline frontage shall be no larger than 4 feet x 24 feet.

11. In accordance with RSA 482-A:3, XIII, any boat secured to a dock shall not extend beyond the extension of the abutter's property line.

#### Findings of Fact

1. The department received a completed Wetlands Application on November 14, 2016, to extend an existing 4 ft. x 50 ft. permanent dock supported by a 4 ft. x 5 ft. crib and a 4 ft. x 3 ft. crib, to create a 4 ft. x 55 ft. permanent dock supported by a 3.5 ft. x 5 ft. crib and a 3.5 ft. x 8 ft. crib, on property identified as lot 23 in Alton, Tax Map 50.
2. On November 18, 2016, the department received comments from the local Conservation Commission with regards to the proposed project. The Conservation Commission stated, "Concern for need of project. There is adequate depth (40 inches). Don't see the need to increase dock length. Okay to repair of crib."
3. The information provided by the applicant on item number 5 of the application is for land located at Alton tax map 50, at 22 Farmington Road with 44.5 feet of shoreline frontage on Lake Winnepesaukee ("the property").
4. The plans submitted with the application, by Ambrose Maine dated 8/26/16, indicate a scale of 1 inch = 10 feet. A scale placed on the plans indicate a straight line frontage of approximately 37 feet at the property.
5. Review of the Town of Alton tax maps, on line indicate, the property has frontage of approximately 15 feet.
6. On January 05, 1992, the Wetlands Board issued a permit for file 1992-01268 to Theron Lawrence to repair an existing 4 ft. x 46 ft. permanent pier with two 4 ft. x 4 ft. cribs on a 16 foot right-of-way at the property.
7. The plans dated August 26, 2016 by Ambrose Marine submitted with this new application show an existing 4 ft. x 50 ft. permanent dock supported by a 4 ft. x 5 ft. crib and a 4 ft. x 3 ft. crib, providing two boatslips.
8. The only record NHDES could find for a dock at the property was Wetland Board permit 1992-01268.
9. The Wetlands Board was the predecessor dock permitting agency to NHDES.
10. The proposed plan will increase the square feet of impact over public waters by 20 square feet and does not decrease the number of boatslips on this frontage, the expansion of the docking structure does not address the criteria set forth in Env-Wt 402.21.
11. Review of Wetlands Board file 1992-01268 indicate the property is comprised of a 6 ft. right-of-way and a 12 ft. deeded lot.
12. The ownership of and legal right to the each frontage at the property is not clear.
13. This application indicates the applicant owns 44.5 feet of frontage. There is no clear proof of ownership in the file.
14. Review of Wetlands Board file 1992-01268 indicate the docking structure is located approximately 1 foot from the property line. Expansion of the docking structure within the abutter setback could be contrary to the requirements of RSA 482-A:3,XIII.
15. The photographs submitted with the application indicate a shed on the deck on the frontage. The department could not find permits issued for the construction of the shed.
16. The plans submitted with the application indicate a proposed crib with dimensions of 3.5 ft. x 8 ft. which exceeds the criteria listed in Env-Wt 402.06, Permanent Docks.

#### Rulings in Support of Denial

1. The applicant failed to submit the least impacting alternative as required pursuant to Env-Wt 302.04(a)(2), therefore in accordance with Env-Wt 302.04(d) the application is denied.
2. The proposed plan will increase square feet of impact over public waters and does not decrease the number of boatslips, the applicant failed to submit a plan providing less square feet of impact and less boatslips, as required pursuant to Env-Wt 402.21, therefore the application is denied.
3. The existing 4 ft. x 50 ft. permanent docking structure exceeds the permit dimensions as specified in NHDES permit 1992-01268, and therefore is not a grandfathered or permitted structure.
4. The proposal to construct a crib which exceeds the criteria in Env-Wt 402.06 for permanent docks is not approvable, therefore in accordance with Env-Wt 302.04(d), and Env-Wt 402.06, the application is denied.
5. The existing docking structure exceeds the criteria pursuant to Env-Wt 402.12 and the proposed dock will increase the dimensions, therefore increasing the exceedance of Env-Wt 402.12, therefore in accordance with Env-Wt 302.04(d), the application is denied.
6. The plans submitted when compared to the town tax map and prior NHDES files indicate the proposed modification will not meet the criteria of RSA 482-A:3,XIII, there is no waiver of this criteria, therefore the application is denied.

2016-03300

CATTLE LANDING ROAD NOMINEE TRUST

MEREDITH LAKE WINNIPESAUKEE

Requested Action:

Construct two 6 ft. x 30 ft. piling piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration, drive three 3-piling ice clusters, two tie-off piling, and install a seasonal boatlift and two personal watercraft lifts on an average of 372 ft. of frontage along Lake Winnepesaukee in Meredith.

\*\*\*\*\*

Conservation Commission/Staff Comments:

11/21/16 Per DHR, no historic properties affected.

APPROVE PERMIT

Construct two 6 ft. x 30 ft. piling piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration, drive three 3-piling ice clusters, two tie-off piling, and install a seasonal boatlift and two personal watercraft lifts on an average of 372 ft. of frontage along Lake Winnepesaukee in Meredith.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated October 31, 2016, as received by DES on November 21, 2016.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
8. Pilings shall be spaced a minimum of 12 ft. apart as measured piling center to piling center.
9. No portion of the pier shall extend more than 30 ft. from the shoreline at full lake elevation (Elev. 504.32).
10. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), Construction of a permanent docking structure providing 3 boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 372 ft. of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

Requested Action:

Resurface deteriorated inlet & outlet headwalls of a 78 ft. long x 77 in. wide x 48 in. high concrete box culvert impacting 300 sq. ft. (270 sq. ft. temporary) of riverine wetlands. NHDOT project 2016-M113

\*\*\*\*\*

Conservation Commission/Staff Comments:

CONS. COMM SIGNED AS EXPEDITED

APPROVE PERMIT

Resurface deteriorated inlet & outlet headwalls of a 78 ft. long x 77 in. wide x 48 in. high concrete box culvert impacting 300 sq. ft. (270 sq. ft. temporary) of riverine wetlands. NHDOT project 2016-M113

With Conditions:

1. All work shall be in accordance with plans by NHDOT District 1 dated 10/17/16 as received by the Department on Dec. 9, 2016.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
10. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
11. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 904.06(d) repair of a tier 2 crossing that does not meet the general criteria specified in Env-Wt 904.01.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

\*\*\*\*\*

2014-00926

BLENKO, DON/MARCIA

SUNAPEE SUNAPEE LAKE

Requested Action:

The Applicant request to reconfigure and reduce the size of the existing boathouse and reconfigure and expand the supporting piers in order to provide additional slips on the frontage

\*\*\*\*\*

Conservation Commission/Staff Comments:

5/1/14 Per DHR, no historic properties affected.

APPROVE AMENDMENT

Remove an existing 28 ft. 6 in. x 28 ft. 6 in. boathouse (22 ft. 3 in. x 27 ft. enclosed space) and construct a 25 ft. 6 in. x 30 ft. boathouse (22 ft. 3 in. x 27 ft. enclosed space) with two 10 ft. wide interior slips supported by a 5 ft. x 31 ft. crib pier and an 8 ft. 9 in. x 20 ft. 9 in. crib pier extending from an existing 35 ft. long pier that will be 14 ft. 6 in. in width at its lakeward end, and construct a 415 sq. ft. perched beach on 291 ft. of frontage along Lake Sunapee, in Sunapee.

With Conditions:

1. All work shall related to the docking structures shall be in accordance with plans by Watermark Marine Construction. revision dated September 30, 2016, as received by the NH Department of Environmental Services (DES) on October 7, 2016.
2. All work shall related to the proposed perched beach shall be in accordance with plans by Pellettieri Associates Inc. revision dated March 20, 2014, as received by the NH Department of Environmental Services (DES) on May 29, 2014.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Dredged or excavated material associated with the perched beach construction shall be placed outside of the DES Wetlands Bureau jurisdiction.
9. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 1093.15). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
10. The steps installed for access to the water shall be located completely landward of the normal high water line.
11. No more than 10 cu. yd. of sand may be used and all sand shall be located above the normal high water line.
12. This permit shall be used only once, and does not allow for annual beach replenishment.
13. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
14. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
15. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. Pursuant to Rule Env-Wt 302.03, Avoidance, Minimization, and Mitigation, (a) applicants shall submit a statement describing the impact of the proposed project design and provide evidence which demonstrates that, potential impacts have been avoided to the maximum extent practicable and any unavoidable impacts have been minimized.
2. Pursuant to Rule Env-Wt 302.04, Requirements for Application Evaluation, (a), (2), for any major or minor project, the applicant shall demonstrate by plan and example that the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
3. The project as proposed reduces the footprint of the nonconforming boathouse by approximately 47 sq. ft. and reduces its ridgeline height by 4 ½ in.
4. The Applicant has an average of 291 ft. of shoreline frontage along Lake Sunapee.

5. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The Applicant has provided evidence that the proposed modifications to the docking facility would provide 2 additional slips on the frontage in a manner that would be less impacting than the construction of a new pier.
7. The Applicant has provided documentation meeting the criteria of Part Env-Wt , Waivers, and therefore, the requested waiver of Rule Env-Wt 402.21, Modification of Existing Structures is granted.

2016-03284

**SHEA, MATTHEW**

**JAFFREY Unnamed T**

**Requested Action:**

Retain 685 square feet of impact within the bed and banks of an unnamed perennial tributary to the Contoocook River (impacting 102 linear feet) for the after-the-fact installation of a 30-inch by 34-foot culvert. In addition, dredge and fill 165 square feet (impacting 22 linear feet) for the installation of a natural stone weir to restore connectivity previously disrupted by the unpermitted culvert installation.

\*\*\*\*\*

**APPROVE PERMIT**

Retain 685 square feet of impact within the bed and banks of an unnamed perennial tributary to the Contoocook River (impacting 102 linear feet) for the after-the-fact installation of a 30-inch by 34-foot culvert. In addition, dredge and fill 165 square feet (impacting 22 linear feet) for the installation of a natural stone weir to restore connectivity previously disrupted by the unpermitted culvert installation.

**With Conditions:**

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated September 28, 2016, as received by the NH Department of Environmental Services (DES) on November 17, 2016.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
3. All in-stream work shall be conducted during low flow conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or New Hampshire Code of Administrative Rules Env-Wq 1700.
4. Native material shall be used to emulate a natural channel. Any new materials used must be as similar to the natural stream substrate as practicable and shall not include any angular rock.
5. Appropriate siltation, erosion and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Erosion control products shall be installed per manufacturers recommended specifications.
9. Temporary controls shall be removed once the area has been stabilized.
10. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
11. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
12. All work shall be done using hand tools only. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
13. As proposed, a post-construction report documenting status of the project area, including photographs, shall be submitted to the DES Wetlands Program within 60 days of the completion of construction. Similar reports shall be submitted at least the second and third years following the completion of construction.

**With Findings:**

1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04(z), as it proposes to retain after-the-fact impacts from the installation of a stream crossing to permit vehicular access to a piece of property for a single family building lot.
2. In addition, the applicant proposes to restore connectivity, which was previously disrupted by the perched condition of the

01/23/2017 to 01/29/2017

unpermitted culvert installation, through the installation of a natural stone weir grade control structure.

3. Presently, connectivity is disrupted by the perched condition of the driveway culvert.

4. The natural stone weir will emulate the existing channel material and restore connectivity during low-flow conditions for aquatic organism passage.

5. In correspondence dated January 23, 2017, the applicant's agent stated that the existing culvert does not have a history of causing flooding or concern for up or downstream infrastructure or water quality.

6. In the event that the stream ever overtops the culvert, there is a concrete spillway in place to protect from erosion and downstream water quality issues.

7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

8. A permit for after-the-fact impacts conducted by the previous property owner will bring the current property owner into compliance with RSA482-A.

9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

10. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

11. No comments of concern were received by DES from abutting property owners or local governing organizations.

12. In correspondence dated November 18, 2016, the owner of the abutting property to the south of the project area provided signed authorization for work associated with the project to occur within 20 feet of the property boundary.

13. The project involves work within the 0.25 mile corridor of the Contoocook River. The Local River Advisory Committee was properly notified of the project.

#### EXPEDITED MINIMUM

\*\*\*\*\*

2016-01105

BRINDAMOUR FAMILY TRUST

RYE

Requested Action:

Restore 6 acres (261,360 square feet) of palustrine emergent and scrub-shrub marsh by mechanically removing common reed (*Phragmites australis*) .

\*\*\*\*\*

#### APPROVE PERMIT

Restore 6 acres (261,360 square feet) of palustrine emergent and scrub-shrub marsh by mechanically removing common reed (*Phragmites australis*) .

With Conditions:

1. All work shall be in accordance with plans and details by the USDA, NRCS received by the NH Department of Environmental Services (DES) on December 20, 2016.

2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the DES Wetlands Program and the Rye Conservation Commission in writing of the date on which work under this permit is expected to start.

3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.

4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.

5. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.

6. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction.

7. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

8. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.

9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

10. Construction equipment shall have specialized low ground pressure tracks, which impact less than four (4) pounds per

01/23/2017 to 01/29/2017

square inch when loaded, or the permittee shall use timber or plywood mats beneath machines when driving over wetland areas.

11. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

12. Subsequent monitoring reports shall be submitted to DES following the first and second growing seasons to review the success of the restoration and schedule remedial actions if necessary. Such reports shall be submitted to DES with photographs demonstrating the conditions on the restoration site, include any necessary remedial actions, and contain a schedule for completing the remedial actions.

**With Findings:**

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposed to restore a degraded marsh is receiving funding from the USDA NRCS through the Wetlands Reserve Program.

2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. DES inspected the site on June 13, 2016 and observed the previous work performed under Wetlands Permit 2011-02958. Inspection found that beaver had not taken to the site and the created log jam allows water to flow through to Salt Water Brook; therefore, the water elevation has not increased as originally hoped.

6. The Rye Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

2016-03597

CARLISLE, DENNIS

**STODDARD Unnamed Wetland**

**Requested Action:**

Dredge and fill 2,500 square feet of palustrine scrub-shrub wetland and install a 15" diameter by 30' long culvert for driveway access to a single family residence.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

1-6-16 - No historical properties affected per DHR.

**APPROVE PERMIT**

Dredge and fill 2,500 square feet of palustrine scrub-shrub wetland and install a 15" diameter by 30' long culvert for driveway access to a single family residence.

**With Conditions:**

1. All work shall be in accordance with plans by SVE Associates dated November 15, 2016, as received by the NH Department of Environmental Services (DES) on December 30, 2016

2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

3. Erosion control products shall be installed per manufacturers recommended specifications.

4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.

6. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.

7. Proper headwalls shall be constructed within seven days of culvert installation.

8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the



growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This project is classified as a Minimum Impact Project per Administrative Rule Env-Wt 303.04(f), as impacts are less than 3,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was previously approved in 1998 under wetland permit #1997-02186 for a driveway in the same location, but the driveway was never completed before the permit expired.
6. DES waived Rule Env-Wt 304.04(a) regarding a 20' setback from the abutter's property line, as the applicant's agent has tried several times to contact the abutter by certified mail for authorization, but as of January 25, 2017 the abutter has been unresponsive.

2017-00022

LANNON, BENJAMIN/JANE

**NEW CASTLE PISCATAQUA RIVER**

Requested Action:

Impact a total of 1,352 square feet within the previously-developed 100-foot tidal buffer zone to include 1,165 square feet of temporary impact and 187 square feet of permanent impact for the construction of an addition to the existing single-family dwelling, replace and widen existing stairs providing access to the existing tidal dock, and associated landscaping on a single family residential lot.

\*\*\*\*\*

Conservation Commission/Staff Comments:

1-19-17 - No historic properties affected per DHR.

APPROVE PERMIT

Impact a total of 1,352 square feet within the previously-developed 100-foot tidal buffer zone to include 1,165 square feet of temporary impact and 187 square feet of permanent impact for the construction of an addition to the existing single-family dwelling, replace and widen existing stairs providing access to the existing tidal dock, and associated landscaping on a single family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated November 2016, and revised through 12/13/16 as received by the NH Department of Environmental Services (DES) on January 5, 2017.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the DES Wetlands Program and the New Castle Conservation Commission in writing of the date on which work under this permit is expected to start.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
5. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and restored jurisdictional area or buffer, including photographs, shall be submitted to the DES Wetlands Program within 60 days of the completion of construction. DES Wetlands Program may require subsequent monitoring and corrective measures if DES deemed the area inadequately stabilized or restored.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively;
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) and (c) Requirements for Application Evaluation, has been considered in the design of the project.
5. The application included NH Natural Heritage Bureau (NHB) File 16-3743 identifying one (1) plant species, Marsh Elder (*Iva frutescens*), in the vicinity of the proposed project.
6. In response to the aforementioned species, NHB stated, "there is no available habitat for marsh elder at the site due to the steep grade along the shoreline. I [NHB] have no further concerns."
7. The New Castle Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
8. DES personnel inspected the property on January 11, 2017 and found that site conditions are accurately represented on the proposed plans.
9. The NH Division of Historical Resources found "No Historic Properties Affected."
10. In response to the Env-Wt 304.04(a) the applicant received written concurrence from the abutter whose property is within 20-feet of the proposed impacts.

2017-00027

WILMOT, TOWN OF

**WILMOT KIMPTON BROOK**

Requested Action:

Dredge and fill 400 square feet within the banks of Kimpton Brook (impacting 42 linear feet) to reconstruct an existing boulder wall on the northeast side of Stearns Road and to replace rip-rap protection on the northwest side of Stearns Road that were destabilized from severe storms.

\*\*\*\*\*

APPROVE PERMIT

Dredge and fill 400 square feet within the banks of Kimpton Brook (impacting 42 linear feet) to reconstruct an existing boulder wall on the northeast side of Stearns Road and to replace rip-rap protection on the northwest side of Stearns Road that were destabilized from severe storms.

With Conditions:

1. All work shall be in accordance with plans by Right Angle Engineering, PLLC dated November 25, 2016, as received by the NH Department of Environmental Services (DES) on January 6, 2017.
2. This permit is not valid until the applicant/owner obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the ROW. The permittee shall submit a copy of each recorded easement to the DES Wetlands Program prior to construction if applicable.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
4. The boulder wall shall be reconstructed within the bank area only, so that no encroachment occurs in the stream bed.
5. Filter fabric shall be installed under and behind the boulder wall and rip-rap areas.
6. Work shall be done during low flow or dry conditions.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

01/23/2017 to 01/29/2017

9. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
11. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Erosion control products shall be installed per manufacturers recommended specifications.
13. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
14. No construction equipment shall be operated in flowing water.
15. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
16. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
18. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
19. Upon completion of construction, the applicant shall revegetate areas along the top of the slope with trees and shrubs to help treat stormwater runoff from Stearns Road.
20. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and restored jurisdictional area or buffer, including photographs, shall be submitted to the DES Wetlands Program within 60 days of the completion of construction.

With Findings:

1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(x), as impacts to repair the existing boulder wall are less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**PERMIT BY NOTIFICATION**

\*\*\*\*\*

2016-03550

SURDAM, STEVEN

**MOULTONBOROUGH LAKE WINNIPESAUKEE**

Requested Action:

Maintenance, repair, and replacement in-kind of existing docking structures, such as boat houses, piers, or other docking facilities, provided no change in location, configuration, construction type, or dimensions is proposed.

\*\*\*\*\*

Conservation Commission/Staff Comments:

1-6-17 Con. Com. has no objections.

PBN IS COMPLETE

Maintenance, repair, and replacement in-kind of existing docking structures, such as boat houses, piers, or other docking facilities, provided no change in location, configuration, construction type, or dimensions is proposed.

2017-00290

FORBES, ALISON

**ALTON LAKE WINNIPESAUKEE**

**Requested Action:**

Maintenance, repair, and replacement in-kind of existing docking structures, such as breakwaters, docks, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated January 16, 2017.

\*\*\*\*\*

**PBN IS COMPLETE**

Maintenance, repair, and replacement in-kind of existing docking structures, such as breakwaters, docks, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated January 16, 2017.

**FORESTRY NOTIFICATION**

\*\*\*\*\*

**2016-02980**

**RIOUX, DANIEL**

**DEERING Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
DEERING TAX MAP #236, LOT #8

**2017-00079**

**LARSON, CHRISTINE**

**STRAFFORD Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Strafford Tax Map #15, Lot #13

**2017-00237**

**RENEAU, JERALD**

**LYNDEBOROUGH**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Lyndeborough, Tax Map 234, Lot 022, 001

**2017-00246**

**SCHMIDT-SCHEUBER, MORITZ**

**LYNDEBOROUGH Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Lyndeborough, Tax Map 234, Lot 023

**2017-00254**

**MANNING, JOHN**

**WASHINGTON Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Washington, Tax Map 13, Lot 9

**2017-00256**

**HEINEKE, GEORGE**

**LYMAN Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Lyman, Tax Map 222, Lot 1

**2017-00257**

**STATE OF NH DRED**

**ODELL Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Odell, Tax Map #1621, Lot # 001

**2017-00258**

**BAER, NICHOLAS**

**NEW LONDON Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
New London, Tax Map 39, Lots 2, 4

**2017-00260**                      **SCRUTON, MATTHEW**

**ROCHESTER**   **Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Rochester, Tax Map #217, Lot #48

**2017-00262**                      **NH PUBLIC GOLF COURSES INC, C/O COUNTRY CLUB OF NH**

**SUTTON**   **Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
SUTTON, TAX MAP#7, LOT#541-0336, 455-213

**2017-00263**                      **BAYROOT LLC**

**PITTSBURG**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Pittsburg Tax Map #A8, Lot #0435

**2017-00264**                      **BAYROOT LLC**

**ATK GIL GRANT**

\*\*\*\*\*

COMPLETE NOTIFICATION  
ATK GIL GRANT, Tax Map 1628, Lot 2

**2017-00279**                      **HUNTER, JILL/PEIRCE**

**MEREDITH Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Meredith Tax Map #R17, Lot #29

2017-00297

**SCHWAEGLER, BRUCE/SARAH**

**WENTWORTH Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Wentworth Tax Map #11, Lot #1;3

**GOLD DREDGE**

\*\*\*\*\*

2017-00315

**HILL, SAMUEL**

**BELMONT Unnamed Stream**

\*\*\*\*\*

**ROADWAY MAINTENANCE NOTIFICATION**

\*\*\*\*\*

2017-00252

**SALEM, TOWN OF**

**SALEM Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Replace a 24" and two 18" culverts.

2017-00310

**SALEM, TOWN OF**

**SALEM Unnamed Stream**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Add headwalls to an 18" culvert.

**2017-00312                      SALEM, TOWN OF**

**SALEM   Unnamed Wetland**

\*\*\*\*\*

COMPLETE NOTIFICATION  
Replacement of a 12" drain with a 15" and will have precast headwalls with inlet/outlet stone protection aprons.

**UTILITY NOTIFICATION**

\*\*\*\*\*

**2017-00265                      EVERSOURCE ENERGY**

**ROLLINSFORD   Unnamed Wetland**

\*\*\*\*\*

Conservation Commission/Staff Comments:  
SEE FILE 2017-0047 FOR FEE AMOUNT.

COMPLETE NOTIFICATION  
Vegetative maintenance to the electric off road distribution system.

**2017-00267                      EVERSOURCE ENERGY**

**RYE   Unnamed Wetland**

\*\*\*\*\*

Conservation Commission/Staff Comments:  
SEE FILE 2017-0047 FOR FEE AMOUNT.

COMPLETE NOTIFICATION  
Vegetative maintenance to the electric off road distribution system.



2017-00271

EVERSOURCE ENERGY

SHELBURNE Unnamed Wetland

\*\*\*\*\*

Conservation Commission/Staff Comments:  
SEE FILE 2017-00047 FOR FEE AMOUNT.

COMPLETE NOTIFICATION  
Vegetative maintenance to the electric off road distribution system.

2017-00272

EVERSOURCE ENERGY

SOMERSWORTH Unnamed Wetland

\*\*\*\*\*

Conservation Commission/Staff Comments:  
SEE FILE 2017-0047 FOR FEE AMOUNT.

COMPLETE NOTIFICATION  
Vegetative maintenance to the electric off road distribution system.

2017-00273

EVERSOURCE ENERGY

SUTTON Unnamed Wetland

\*\*\*\*\*

Conservation Commission/Staff Comments:  
SEE FILE 2017-0047 FOR FEE AMOUNT.

COMPLETE NOTIFICATION  
Vegetative maintenance to the electric off road distribution system.

2017-00274

EVERSOURCE ENERGY

WEBSTER Unnamed Wetland

\*\*\*\*\*

Conservation Commission/Staff Comments:  
SEE FILE 2017-0047 FOR FEE AMOUNT.

COMPLETE NOTIFICATION  
Vegetative maintenance to the electric off road distribution system.

**2017-00275                      EVERSOURCE ENERGY**

**WARNER    Unnamed Wetland**

\*\*\*\*\*

Conservation Commission/Staff Comments:  
SEE FILE 2017-0047 FOR FEE AMOUNT.

COMPLETE NOTIFICATION  
Vegetative maintenance to the electric off road distribution system.

**SHORELAND PERMIT**

\*\*\*\*\*

**2011-03179                      BIRD, KATHLEEN  
   KING, MARJORIE  
  
BRIDGEWATER    NEWFOUND LAKE**

**Requested Action:**

Request permit time extension. Impact 8,914 sq. ft. in order to construct 2 bedroom house with deck, driveway, and septic system.

\*\*\*\*\*

Conservation Commission/Staff Comments:  
PERMIT TIME EXTENSION REQUEST RECEIVED AFTER THE PERMIT HAD EXPIRED. THE REQUEST FOR AN EXTENSION WAS APPROVED BY COLLIS ADAMS.

Inspection Date: 08/04/2016 by MIRANDA L ADAMS

APPROVE TIME EXTENSION  
Impact 8,914 sq. ft. in order to construct 2 bedroom house with deck, driveway, and septic system.

**With Conditions:**

1. All work shall be in accordance with plans by B.A. Barnard Enterprises, Inc. dated March 1, 2011 and received by the NH Department of Environmental Services (DES) on December 20, 2011.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES

01/23/2017 to 01/29/2017

Subsurface Systems Bureau.

3. No more than 16.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,293 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2012-00837

MORELLO, BEVERLY/MICHAEL

#### HOLDERNESS LITTLE SQUAM LAKE

Requested Action:

Request permit time extension.

\*\*\*\*\*

#### APPROVE TIME EXTENSION

Impact 9,904 sq ft in order to replace existing house with a new larger house and driveway. Project includes the removal of stumps from landscaped areas.

With Conditions:

1. All work shall be in accordance with plans by B.A. Barnard Ent., Inc. dated January 2012 and received by the NH Department of Environmental Services (DES) on April 9, 2012.
2. No more than 14.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 4,105 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

Shoreland -

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 483-B:5-b, VI and Env-Wq 1406.19.
2. This permit has been extended in accordance with RSA 483-B:5-b, VI and Env-Wq 1406.19.

2016-02777

HOOVER, DEBORAH

**NEW LONDON LITTLE SUNAPEE LAKE**

**Requested Action:**

Impact 5,974 sq. ft. within the Protected Shoreland of Little Sunapee Lake to construct a driveway and barn on land under conservation easement in accordance with conditions therein.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 5,974 sq. ft. within the Protected Shoreland of Little Sunapee Lake to construct a driveway and barn on land under conservation easement in accordance with conditions therein.

**With Conditions:**

1. All work shall be in accordance with plans by Pierre J. Bedard and Associates, PC, dated July 28, 2016, as revised December 22, 2016, and received by the NH Department of Environmental Services (DES) on January 11, 2017.
2. This permit is contingent upon additional approval by the DES Wetlands Bureau for proposed impacts to forested wetlands on the property.
3. This permit does not authorize uses of the property in non-accordance with the conservation easement deed, last amended in January of 1997.
4. This permit does not authorize the removal of trees or saplings within the Waterfront Buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V(a)(2)(D)(iv).
5. No impacts to natural ground cover or native vegetation shall occur within the Waterfront Buffer outside of the immediate project area.
6. Native vegetation within an area of at least 3,721 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V(b)(2).
7. No more than 6% of the area of the lot within the Protected Shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover and proximity to wetlands or surface waters.

Shoreland Impact Permit #2016-02777

Conditions Continued (page 2 of 2)

10. Orange construction fencing shall be placed at the limits of the temporary impact areas as shown on the approved plan in order to prevent accidental encroachment into areas in which impacts have not been approved.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Any fill used shall be clean sand, gravel, rock or other suitable material.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
15. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

2016-02886

GOULD, RICHARD

BETHLEHEM AMMONOOSUC RIVER

Requested Action:

Impact 23,200 sq. ft. within the Protected Shoreland of the Ammonoosuc River to construct a common driveway for access to five new lots for future residential development.

\*\*\*\*\*

Conservation Commission/Staff Comments:

11/18/16 - EML - Spoke with Jennifer regarding the project. Evidently the logger has cut trees where the proposed road will be located. Jennifer is visiting the site today to take pictures as requested in the RFMI and observe the extent of the tree cutting.

APPROVE PERMIT

Impact 23,200 sq. ft. within the Protected Shoreland of the Ammonoosuc River to construct a common driveway for access to five new lots for future residential development.

With Conditions:

1. All work shall be in accordance with plans by McCourt Engineering Associates, PLLC, dated June 2016, as revised December 15, 2016 and received by the NH Department of Environmental Services (DES) on January 23, 2017.
2. This permit does not authorize additional impacts within the Protected Shoreland associated with lot development.
3. Each new residential lot shall be permitted on an individual basis.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover and proximity to wetlands or surface waters.
6. Orange construction fencing shall be placed at the limits of the temporary impact areas as shown on the approved plan in order to prevent accidental encroachment into areas in which impacts have not been approved.
7. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Any fill used shall be clean sand, gravel, rock or other suitable material.
9. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. No person undertaking any activity in the Protected Shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2016-02966

SAMONAS REALTY TRUST

RYE BEACH SALT MARSH CONTIGUOUS WITH THE ATLANTIC OCEAN

Requested Action:

Request name change to Richard and Toni Morena to impact 21,900 sq. ft. within the Protected Shoreland to construct a new 5-bedroom single family home with appurtenant structures, including a new septic system and leach field, on a vacant lot.

\*\*\*\*\*

#### APPROVE NAME CHANGE

Change name to Richard and Toni Morena 63 West Parish Rd. Concord, NH 03303 to impact 21,900 sq. ft. within the Protected Shoreland to construct a new 5-bedroom single family home with appurtenant structures, including a new septic system and leach field, on a vacant lot.

#### With Conditions:

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated November 11, 2016 and received by the NH Department of Environmental Services (DES) on November 16, 2016.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 19% of the area of the lot within the Protected Shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Construction fencing shall be placed at the limits of impact, as indicated on the approved plans, to prevent encroachment into areas not authorized to be impacted.
9. Any fill used shall be clean sand, gravel, rock or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).  
Shoreland Impact Permit #2016-02966  
Conditions Continued (page 2 of 2)

11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks or the tidal-buffer zone. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2016-03594

MCMILLEN, MARIE/ROGER

#### BARNSTEAD SUNCOOK LAKES

#### Requested Action:

Impact 3,927 sq. ft. of protected shoreland in order to construct a house with a portion of the house and the garage located beyond the shoreland protection buffer.

\*\*\*\*\*

#### APPROVE PERMIT

Impact 3,927 sq. ft. of protected shoreland in order to construct a house with a portion of the house and the garage located beyond the shoreland protection buffer.

#### With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated December 15, 2016 and received by the NH Department of Environmental Services (DES) on December 29, 2016.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into

01/23/2017 to 01/29/2017

areas in which impacts have not been approved.

3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).

4. No more than 5.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

5. Native vegetation within an area of at least 3,830 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.

11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2016-03595

WALTERS, THOMAS

#### DEERING DEERING RESERVOIR

##### Requested Action:

Proposal to construct a new dwelling on a vacant lot that will be serviced by onsite septic and well. All disturbance will be greater than 100 ft. from the reference line. Total impact 15,303 sq. ft., Total new impervious area 4,593 sq. ft.

\*\*\*\*\*

##### APPROVE PERMIT

Impact 15,303 sq. ft. of protected shorelands in order to construct a dwelling, driveway, septic system and well on a previously vacant lot.

##### With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services dated December 27, 2016 as received by the NH Department of Environmental Services (DES) on December 30, 2016.

2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.

3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.

4. No more than 4.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

5. Native vegetation within an area of at least 10,033 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.

01/23/2017 to 01/29/2017

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

2017-00031

BUCK, MARK & LISA

#### ENFIELD MASCOMA LAKE

##### Requested Action:

Impact 13,342 sq. ft. of protected shoreland in order to raze and replace a nonconforming residential primary structure and septic system, construct a workshop, and install infiltration chambers.

\*\*\*\*\*

##### APPROVE PERMIT

Impact 13,342 sq. ft. of protected shoreland in order to raze and replace a nonconforming residential primary structure and septic system, construct a workshop, and install infiltration chambers.

##### With Conditions:

1. All work shall be in accordance with plans by Hogg Hill Design, LLC dated August 17, 2016 and received by the NH Department of Environmental Services (DES) on August 24, 2016.
2. This permit supersedes previous Permit # 2016-02426. Upon receipt and signature of this permit by the Applicant the previous Permit # 2016-02426 shall be rendered null and void.
3. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
4. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
5. This permit does not authorize the removal of trees or saplings within the waterfront buffer.
6. No more than 29% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. Native vegetation within an area of at least 1,782 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The proposed stormwater management infiltration chambers shall be installed and maintained to effectively absorb and infiltrate stormwater.
13. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).



01/23/2017 to 01/29/2017

2017-00034

**MASIELLO, CHRISTOPHER  
TALLMAN, EMILY**

**WOLFEBORO LAKE WINNIPESAUKEE**

Requested Action:

Impact 5,263 sq. ft. of the protected shoreland in order to construct an addition to the existing house, remove a portion of the existing driveway, install an effluent disposal system, and grade within disturbed areas.

\*\*\*\*\*

APPROVE PERMIT

Impact 5,263 sq. ft. of the protected shoreland in order to construct an addition to the existing house, remove a portion of the existing driveway, install an effluent disposal system, and grade within disturbed areas.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated December 26, 2016 and received by the NH Department of Environmental Services (DES) on January 9, 2017.
2. Neither the addition to the existing house nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 26% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Native vegetation within an area of at least 2,631 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

